

US EPA ARCHIVE DOCUMENT

Web-Distributed Labeling Workgroup Discussion Paper Virtual Pilot

I. Background

EPA's Office of Pesticide Programs (OPP) is exploring the possibility of allowing registrants to distribute some portions of pesticide labeling via the internet. To support this effort, at the recommendation of the Pesticide Program Dialogue Committee (PPDC) subgroup for web-distributed labeling (WDL), OPP encourages the private sector to conduct a virtual pilot (hereafter "the Pilot") of the web-distributed labeling concept. The Pilot would demonstrate how a website would be designed and how users could access labeling information using the website; it would not involve the actual distribution to users of any pesticide products that would rely on WDL approach. This issue paper presents OPP's current thinking on the Pilot, the associated functional specifications, and one possible implementation strategy.

II. WDL Virtual Pilot Overview

This section presents a description of the Pilot, objectives, scope, assumptions, anticipated stakeholders, legal/ethical considerations, and metrics for program assessment. In general, the Pilot refers to a web-based software application that will simulate the "web-distributed labeling user experience" by allowing users to search for and download pesticide labeling.

A. Objectives

The purpose of the Pilot is two-fold: (1) to determine whether a system can be designed that registrants would use to distribute state-approved labeling through the internet, and (2) to determine whether the benefits of WDL would be appealing enough that users would be willing to visit a website to download and read labeling. To ensure the Pilot supports the purpose described above, EPA has identified the following objectives:

- Demonstrate that state-approved pesticide labeling can be formatted ("segmented") by use pattern in a manner suitable to be supplied to stakeholders via the internet.
- Demonstrate that pesticide labeling can be provided accurately via the internet.
- Document the approximate cost to third parties for preparing a small, average, and large label for web distribution.
- Gather and evaluate stakeholder feedback on the usability, user understanding, and anticipated compliance for web-distributed labeling compared to current paper-based labeling.
- Collect stakeholder feedback on the look and feel of the Pilot website(s).
- Evaluate the appropriateness and completeness of EPA's proposed minimum specifications for the web-distributed labeling website.

B. Scope

To increase the likelihood of achieving the objectives described above and to limit the potentially overwhelming number of variables of such an effort, the scope of the Pilot should be limited in the following ways:

- Issues relating to users' access to the internet and the web-distributed labeling website(s), connectivity speed, and website(s) reliability are outside the scope of this Pilot.
- Alternative delivery mechanisms (i.e., those other than the internet, such as a toll-free telephone number) are outside the scope of this Pilot.
- EPA encourages multiple participants in the Pilot.
- Each website should include, at a minimum, the labeling for at least three mock state-registered products supplied by EPA and three additional state-registered labels not supplied by EPA.
- Residential/homeowner products are outside the scope of this Pilot.

C. Assumptions

To increase the likelihood of achieving the objectives described above and to clearly communicate expectations to potential participants, the Pilot website(s) will be designed based on the following assumptions:

- Information submitted to or gathered within the scope of the Pilot should be considered public information and should not be subject to CBI claims.
- All Pilot websites should meet EPA's minimum functional specifications.
- Each Pilot website should be an independent application that provides a single point of access to simulate searching and retrieving pesticide labeling from multiple registrants.
- Any labeling supplied by the Pilot website(s) shall not be used to make pesticide applications and shall be clearly identified as not being intended for actual use.
- EPA will supply three mock state-approved labels to be used as part of each website's labeling.
- Each Pilot website should contain the three mock state-approved labels supplied by EPA and the labeling for at least three more state-approved products not supplied by EPA.
- Each pilot website should include at least one product registered for agricultural use, one product registered for non-agricultural use, and one product registered for antimicrobial use.
- Although web-distributed labeling, if implemented, may specify an expiration date, for the purposes of the Pilot, no expiration date will be specified.
- Although encouraged, the website(s) are not necessarily expected to meet the requirements specified in Section 508 of the Americans with Disabilities Act.
- EPA is not expecting to participate in the construction of the Pilot website(s).
- Tribal issues are not addressed in this Pilot.

D. Stakeholders

To improve the probability of achieving the objectives described above, participants in the Pilot program should solicit input and feedback from the following stakeholders:

- People who purchase and use pesticides in the course of their business (e.g., farmers)
- People who apply pesticides for hire (e.g., professional or commercial applicators)
- State and tribal pesticide regulatory agencies
- Registrants/manufacturers
- Distributors/retailers/repackaging facilities
- Educators
- General public
- Public interest groups
- EPA

E. Legal and Ethical Considerations

EPA is committed to ensuring that the process for getting private sector participation is fair, equitable, ethical, and complies with applicable laws and regulations including the Americans with Disabilities Act, the Paperwork Reduction Act, and the Federal Insecticide, Fungicide, and Rodenticide Act. As part of this commitment, the Agency will make every effort to engage in open dialogue with prospective/current participants and stakeholders. This dialogue will help ensure that private sector participants understand, among other things, that if EPA decides to proceed with WDL, participation in the Pilot does not affect any future EPA decisions to award grants or contracts in connection with further development of the WDL approach.

Americans with Disabilities Act

Websites operated by the federal government must comply with section 508 of the Americans with Disabilities Act (ADA). While a website operated by a private sector entity, even if users are directed there from an EPA website, is not required to comply with ADA sec. 508, EPA encourages such compliance.

Paperwork Reduction Act

The Paperwork Reduction Act (PRA) applies to any effort by the federal government to collect information from 10 or more persons or entities by means of identical questions. The PRA requires an agency to obtain approval from the Office of Management and Budget for such a collection. The PRA, however, does not apply to the collection of information by a private party so long as the federal agency does not fund the collection--in whole or in part--or control its content. Accordingly, private sector participants in the Pilot will decide what information to collect from stakeholders and what information to provide to EPA.

Federal Insecticide, Fungicide, and Rodenticide Act

Participants in the Pilot should consult the discussion paper *Container-Affixed Label and Web-Distributed Labeling* developed for the Pesticide Program Dialogue Committee Web-Distributed Labeling Workgroup (<http://epa.gov/pesticides/ppdc/distr-labeling/oct08/container-label.pdf>) for more specific information on what is required on the container label and what can be included only as part of web-distributed labeling.

F. Program Assessment

The purpose of the Pilot is two-fold: (1) to determine whether a system can be designed that registrants would use to distribute state-labeling through the internet, and (2) to determine whether the benefits of WDL would be appealing enough that users would be willing to visit a website to download and read labeling. The following methods should be used to gauge the extent to which the Pilot was successful in answering the questions above.

Feedback in the following areas would assist EPA in determining whether to proceed with WDL.

- Demonstrate that state-registered pesticide labeling can be formatted by use pattern (“segmented”) in a manner suitable to be supplied to stakeholders via the internet.
- Demonstrate that pesticide labeling can be provided accurately via the internet.
 - Conduct a quality control review for a set number of labels by comparing all portions of the approved labeling content with WDL content.
- Document the approximate cost to registrants for preparing a small, average, and large label for web distribution.
 - Each participant should provide an estimated range for the cost of preparing a small, average, and large label.
- Gather and evaluate stakeholder feedback on the usability, user understanding, and anticipated compliance for web-distributed labeling compared to current paper-based labeling.
 - All participating vendors will provide a summary of and the actual feedback received from users who accessed the system.
 - EPA hopes to have a response rate greater than 20% (e.g., 2 respondents for every 10 visitors).
- Collect stakeholder feedback on the look-and-feel of the Pilot website(s).
 - All participating private sector participants will provide a summary of and the actual feedback received from users who accessed the system.
 - EPA hopes to have a response rate greater than 20% (e.g., 2 respondents for every 10 visitors).

- Evaluate the appropriateness and completeness of EPA's proposed minimum specifications for the web-distributed labeling website.
- Collect feedback from states pesticide agencies, registrants, users, and other stakeholders on the overall pilot, whether the website met their needs, and if additional functions or features should be considered.
- Capture standard website accessibility metrics

III. Functional Specifications

This section presents the general functional specifications to be used to develop the web-distributed labeling virtual pilot software. Table 1 presents the minimum functional specifications for participation in the Pilot. Table 2 presents optional functionality specifications that each private sector participant may wish to include. Failure to include functional specifications would not preclude participation in the Pilot.

Table 1. Minimum WDL Virtual Pilot Functional Specifications

| Category | ID | Specification |
|----------|----------|--|
| | WDL-1100 | The system provides a single, intuitive user interface for accessing web-distributed labeling. |
| | WDL-1120 | The system provides users the option to retrieve pesticide labeling in both Adobe PDF and html format. |
| | WDL-1130 | The Pilot clearly indicates on each webpage and printed page that any labeling downloaded from the website is for informational/demonstration purposes only and must not be used to make a pesticide application. |
| | WDL-1140 | When a user performs search on a product, only one version of WDL can be returned. That is, the database (or databases) makes available to the user only one version as the "current" version. |
| | WDL-1150 | When labeling is printed, each page must identify the state in which the product may be used according to the labeling being printed. |
| | WDL-1200 | The system allows users to search for pesticide products using the following criteria: EPA Registration Number or Product Name, state/territory in which the application is intended to be made, and Use Site(s). |
| | WDL-1210 | The system allows users to search for multiple Use Sites. |
| | WDL-1220 | Users accessing labeling have to specify the state/county in which they intend to apply the product to execute a search. |
| | WDL-1270 | The website tracks standard website accessibility metrics |
| | WDL-1310 | Before being allowed to print labeling, users have to validate labeling to be downloaded for example by verifying an image of the container label or entering the EPA registration number a second time |
| | WDL-1320 | The system provides the pesticide labeling in its entirety for the use pattern(s) specified |
| | WDL-1340 | The system provides the ability to compare the most recent version of the pesticide labeling to (a) the previous version of the pesticide labeling, (b) a previous version of the pesticide labeling as specified by the user. |
| | WDL-1350 | The system timestamps all pages of the pesticide labeling (MM/DD/YYYY, HH:MM:SS) based on when the labeling was rendered |

| Category | ID | Specification |
|----------|----------|---|
| | WDL-1360 | The system includes a header on all pages of the pesticide labeling including the Product Name, EPA Registration Number, Page X of Y, and, if filtered, the use pattern(s)/site(s) selected. |
| | WDL-1370 | The system displays the date on which the labeling was posted to the website |
| | WDL-1380 | The system displays the date on which the labeling was approved by EPA |
| | WDL-1390 | The system displays the date on which the labeling was registered by the state authority |
| | WDL-1400 | The system provides the option for users to subscribe to an email notification program that alerts the user to the availability of an updated version of the particular product labeling |
| | WDL-1410 | Users do not have to enter personal information to view pesticide labeling |
| | WDL-1420 | The system clearly indicates any area that might collect personal information and provides the user an opportunity to access that feature of the system without providing personal information. |
| | WDL-1430 | The system provides secure connection capability for companies to upload/edit labeling content |
| | WDL-1450 | The system clearly indicates that historical labeling must not be used to make a pesticide application |
| | WDL-1460 | All portions of the system including all content downloaded/printed from the system include a legal disclaimer as specified by EPA's Office of General Counsel |
| | WDL-1470 | The system provides the option for users to specify the font size for viewing/printing the labeling |
| | WDL-1480 | The system provides the ability for users, especially those with slow internet connections, to receive pesticide labeling via email |
| | WDL-1490 | The system permits users to bookmark the website, but it prevents users from bookmarking specific pesticide labeling |

Table 2. Optional WDL Virtual Pilot Functional Specifications

| Category | ID | Specification |
|----------|----------|---|
| | WDL-2100 | The system provides a standardized format for pesticide labeling |
| | WDL-2120 | The system offers users access to additional, non-labeling content, e.g., demonstration videos, rate calculators, MSDS sheets, etc. |
| | WDL-2130 | The system provides the option to refine search criteria by application method and application type. |
| | WDL-2140 | The system provides the ability to download historical versions of pesticide labeling |
| | WDL-2150 | The system allows users to compare labeling and portions of labeling from two or more versions of labeling (current, historical, or a combination thereof). |
| | WDL-2160 | The system allows users access county-specific information (e.g., endangered species bulletins). |

IV. Implementation Strategy

This section presents an approach and tentative schedule for implementing a web-distributed labeling pilot. EPA anticipates that the three main stages of the strategy will be participant identification, Pilot execution, and Pilot follow-up.

A. Participant Identification

In an effort to solicit participation from a wide variety of vendors, including those that may not be entirely familiar with OPP's mission, the Agency anticipates performing the following actions:

- Create a webpage on the EPA website outlining a description of the Pilot, the functional specifications, and how to contact EPA to express interest.
- Announce the availability of the website, including a brief background of the WDL Pilot, in the Federal Register and through a listserv.

Once identified, participants will engage in a dialogue with EPA to gain a better understanding of EPA's expectations for Pilot participants and to request feedback on the proposed approach. The Agency will encourage participants to maintain this dialogue, to the extent appropriate, throughout the execution of the Pilot.

B. Pilot Execution

After meeting to clarify expectations for the Pilot, participants should independently or collaboratively develop their version of the WDL Pilot. This should include providing EPA with instructions for accessing the Pilot website, the dates during which the participant intends to conduct and gather feedback on the Pilot, and a tentative date for meeting with the Agency to present an analysis of the Pilot including feedback received. EPA will also schedule at least one meeting during Pilot execution during which all participants will have the opportunity to report on the status of their Pilot and present any issues or information that may benefit EPA or other participants.

C. Pilot Follow-Up

At the conclusion of the Pilot, each participant should prepare and present an analysis of the Pilot including feedback received and a program assessment as specified in this document. EPA will post a summary analysis of the entire Pilot program on the website.

D. Schedule

A tentative schedule for implementing the Pilot within 18 months is presented in Table 3.

Table 3. WDL Virtual Pilot Tentative Schedule

| Pilot Phase | Milestone | Responsible Party | Elapsed Time (months) |
|----------------------------|---|--------------------------|------------------------------|
| Participant Identification | Create webpage on EPA website with instructions for participating in Pilot; publish notice of availability of webpage in Federal Register | EPA | 0 |
| | Submit expression of interest to EPA | Participants | 3 |
| Pilot Execution | Conduct kick-off meeting | EPA/Participants | 4 |
| | Develop web-distributed labeling pilot website | Participants | 8 |
| | Conduct and gather feedback on the Pilot websites | Participants | 14 |
| Pilot Follow-Up | Analyze feedback received on the Pilot website | Participants | 16 |
| | Present analysis to EPA | Participants | 17 |
| | Post combined results of program assessment | EPA | 18 |